IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

Bail Appl..No. 4878 of 2007()

CMP.2680/2007 of J.M.F.C.-I, CHENGANNUR

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CRIME NO. 212/2007 OF CHENGANNUR POLICE STATION

PETITIONER/ACCUSED NO.3:

JAYAN, S/O. GOPALAN ACHARY,
AGED 28, PUTHEN VEETTIL, PERUMALA MURI,
KADAPRA VILLAGE.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: STATE:

THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.4878 of 2007

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Dated this the 13th day of August, 2007

ORDER

Application for regular bail. The petitioner is the 2nd accused. He faces allegations, inter alia under Sec.397 read with 34 IPC. Altogether there are six accused persons. The crux of the allegations is that on 17.4.07 at about 11.30 p.m., the accused persons committed robbery in furtherance of their common intention and forcibly took away articles worth Rs.1,14,250/-(gold ornaments, mobile phone, wrist watch etc.) from the defacto complainant and his wife who were travelling on a two wheeler. The petitioner was arrested in some other crime and he allegedly made confession statement and his arrest was recorded for this crime on 26.5.07. He continues in custody from that date. The learned counsel for the petitioner prays that the petitioner may be now released on bail now. He is absolutely innocent, it is submitted.

2. The learned Public Prosecutor opposes the application vehemently. He points out that sufficient data has already been collected which point to the complicity of the petitioner. The

allegations are grave. Investigation is in progress. The petitioner has criminal antecedents. He is involved in many other crimes also. Regular bail may not be granted to the petitioner at this stage, submits the learned Public Prosecutor.

3. Having considered all the relevant inputs I find merit in the opposition by the learned Public Prosecutor and I am satisfied this is a fit case where the Investigators must be given reasonable further time to complete the investigation.

4. In the result, this petition is dismissed. I may however, hasten to observe that the petitioner shall be at liberty to move this court or the Sessions court for bail again at a later stage of the investigation not, at any rate, prior to 25/08/2007. The police shall, in the meantime, make every endeavour to complete the investigation. Needless to say, if the charge sheet is not filed within the stipulated time the option for the petitioner to move for default bail shall remain unfettered by the dismissal of this petition.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE